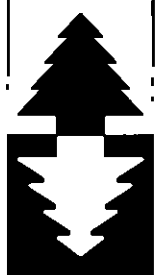


East Coast



Greenway.

New Jersey Committee  
For The East Coast Greenway

PO Box 10505  
New Brunswick, NJ 08906  
908-405-3357  
www.greenwaynj.org

Secretary  
Surface Transportation Board  
Washington, DC 20423

Victoria Rutson, Chief  
Section of Environmental Analysis  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

**Re:**  
**Consolidated Rail Corporation -**  
**Abandonment Exemption -**  
**In Hudson County, NJ**

**CSX Transportation, Inc. -**  
**Discontinuance Exemption -**  
**In Hudson County, NJ**

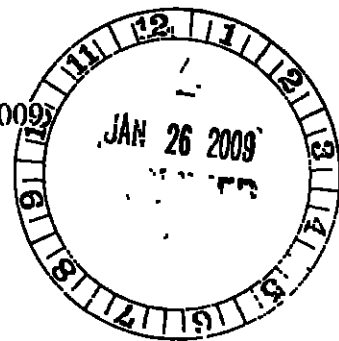
**Norfolk Southern Railway Co -**  
**Discontinuance Exemption -**  
**In Hudson County, NJ**

January 23, 2009

ENTERED  
Office of Proceedings

JAN 26 2009

Part of  
Public Record



224405  
AB 167 (Sub-no. 1189X)

224406  
AB 55 (Sub-no. 686X)

224407  
AB 290 (Sub-no. 306X)

On January 6, 2009, a Notice of Exemption was filed in the cases referred to above. At the same time, Conrail et al. filed "Comments" and "Motion to Stay Effective Date of Verified Notices of Exemption and to Waive Pre-filing Notification Requirements."

The East Coast Greenway Alliance believes that abandonment authorization is barred by NHPA Section 110 (k) since Conrail and its developer partner have engaged in anticipatory demolition of rail assets. Because this case is controversial for this and other reasons, this organization opposes class exemption procedures. An abandonment authorization within the schedule Conrail et al. suggest cannot be done in compliance with the National Historic Preservation Act (NHPA) section 106 and 110 (k), 16 U.S.C. 470f and 470 h-2(k) or the National Environmental Policy Act (NEPA) section 102.42 U.S.C. 4332.

Secretary  
Surface Transportation Board

- 2 -

January 23, 2009

Victoria Rutson, Chief  
Section of Environmental Analysis  
Surface Transportation Board

We call for a full Environmental Impact Statement (EIS) to address the many issues raised by this potential abandonment

Our organization further requests consulting party status in an NHPA Section 106 Review

The East Coast Greenway Alliance is the nation's first long-distance urban trail system, a city-to-city transportation corridor for cyclists, walkers and other non-motorized users. The trail through New Jersey is 48% complete and new sections are being completed regularly. The Harsimus Branch Embankment is planned to be a vital link in the trail from Trenton across the state. In addition, this former transportation corridor will provide a way for local residents to commute by cycle to and from work and thus it will have a significant positive effect on the reduction of our carbon footprint.

**Certificate of Service**

I hereby certify that on January 23, 2009, I caused a copy of this correspondence to be served by first class mail on those appearing on the attached Service List.



Dolores P. Newman  
Co-Chair – NJ Committee for the East Coast Greenway  
Post Office Box 10505  
New Brunswick, New Jersey 08906

**Service List  
January 2009**

**Charles H Montagne  
426 NW 162nd Street  
Seattle, Washington 98177**

**Mayor Jerramiah T Healy  
City Hall  
280 Grove Street  
Jersey City, NJ 07302**

**Valeno Luccio  
Civic JC  
PO Box 248  
Jersey City, NJ 07303-0248**

**Jill Edelman, President  
Powerhouse Arts District  
Neighborhood Assoc  
140 Bay Street, Unit 6J  
Jersey City, NJ 07302**

**Gretchen Scheiman  
President  
Historic Paulus Hook Association  
121 Grand Street  
Jersey City, NJ 07302**

**Gregory A Remaud  
Conservation Director  
NY/NJ Baykeeper  
52 West Front Street  
Keyport, NJ 07735**

**Fritz Kahn  
1920 N Street, NW  
8<sup>th</sup> Floor  
Washing, DC 20036-1601**

**Robert M Jenkins  
Mayor Brown LLP  
1909 L Street NW  
Washington, DC 20006**

**Stephen D Marks, Director  
Hudson County Planning Division  
Justice Brennan Court House  
583 Newark Avenue  
Jersey City, NJ 07306**

**Michael D Selender  
Jersey City Landmarks Conservancy  
PO Box 68  
Jersey City, NJ 07303-0068**

**Eric Fleming, President  
Harsimus Cove Association  
Box 101  
344 Grove St  
Jersey City, NJ 07302**

**Robert Crow  
President  
The Village Neighborhood Association  
365 Second Street  
Jersey City, NJ 07302**

**Robert Vivien  
President  
Newport Neighborhood Association  
40 Newport Parkway #604  
Jersey City, NJ 07310**

**Sam Pesin  
President  
Friends of Liberty State Park  
75-135 Liberty Avenue  
Jersey City, NJ 07306**

**Daniel H Frohwirth  
Jersey City Landmarks Conservancy  
30 Montgomery Street  
Suite 820  
Jersey City, NJ 07302**

**Mark Mauriello, Commissioner  
NJ Department of Environmental Protection  
401 East State Street 7<sup>th</sup> Fl East Wing  
PO Box 402  
Trenton, NJ 08625-0402**

**Ron Emrich  
Executive Director  
Preservation New Jersey  
30 S Warren Street  
Trenton, NJ 08608**

**Jennifer Greely  
Hamilton Park Neighborhood Association  
22 West Hamilton Place  
Jersey City, NJ 07302**

**Dan Webber  
Vice-President  
Van Vorst Park Association  
289 Vanck Street  
Jersey City, NJ 07302**

**Dolores P Newman  
NJ Committee for the  
East Coast Greenway  
PO Box 10505  
New Brunswick, NJ 08906**

**Daniel D Saunders  
Deputy State Historic Preservation Officer  
State Historic Preservation Office  
NJ Department of Environmental Protection  
PO Box 404  
Trenton, NJ 08625-0404**

**Maureen Crowley, Coordinator  
Embankment Preservation Coalition  
263 Fifth Street  
Jersey City, NJ 07302**